

SENATE BILL 761

By Stevens

AN ACT to amend Tennessee Code Annotated, Title 7 and Title 58, relative to financial assistance for the estates of first responders killed in the line of duty.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 7, Chapter 51, Part 2, is amended by adding the following as a new, appropriately designated section:

(a) For purposes of this section, unless the context otherwise requires:

(1) "First responders from local emergency management agencies"

means emergency management agency personnel, including but not limited to, emergency managers who, as first responders:

(A) Go directly to the scene of an emergency; or

(B) Provide direct logistical support during the emergency and may go to and from a disaster or emergency area;

(2) "In the line of duty" means in the course of employment and in the actual discharge of the duties of the position; and

(3) "Local emergency management agency" means an organization created in accordance with title 58, chapter 2, to discharge the emergency management responsibilities and functions of a political subdivision.

(b) The estate of any first responder from a local emergency management agency who is killed in the line of duty is entitled to receive the sum of twenty-five thousand dollars (\$25,000). The commissioner of finance and administration shall remit payment to the decedent's estate after the department of finance and administration

receives a certified death certificate and an affidavit from the decedent's employer that the decedent was killed in the line of duty.

(c)

(1) There is created a special agency account in the state general fund to be known as the "first responder estate assistance fund," referred to in this section as the "fund."

(2) Any fund balance remaining unexpended at the end of a fiscal year shall be carried forward into the subsequent fiscal year.

(3) Interest accruing on investments and deposits of the fund shall be carried forward into the subsequent fiscal year.

(4) No part of the fund shall be diverted to the general fund or any other public fund.

(5) Moneys in the fund shall be invested by the state treasurer in accordance with § 9-4-603. The commissioner of finance and administration shall administer the funds.

(6) Moneys in the fund shall only be expended in accordance with the provisions of this part.

(7) The fund shall consist of:

(A) State appropriations; and

(B) Donations to the fund from private sources.

(d) It is the legislative intent that:

(1) The sum of one hundred fifty thousand dollars (\$150,000) be appropriated to the fund in fiscal year 2017-2018; and

(2) The sum of twenty-five thousand dollars (\$25,000) be appropriated to the fund in subsequent fiscal years; provided, that no appropriation shall be made in any fiscal year which would cause total moneys in the fund, excluding donations, to equal or exceed two hundred fifty thousand dollars (\$250,000).

SECTION 2. This act shall not be construed to be an appropriation of funds, and no funds shall be obligated or expended pursuant to this act unless the funds are specifically appropriated by the general appropriations act.

SECTION 3. This act shall take effect July 1, 2017, the public welfare requiring it.